

B7 (Official Form 7) (04/10)

**UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF TEXAS  
FORT WORTH DIVISION**

In re: **Jay Frank Marcom, II**Case No. **10-47628-DML-7**  
(if known)

**AMENDED 7/12/2011  
STATEMENT OF FINANCIAL AFFAIRS**

**1. Income from employment or operation of business**

None ☒ State the gross amount of income the debtor has received from employment, trade, or profession, or from operation of the debtor's business, including part-time activities either as an employee or in independent trade or business, from the beginning of this calendar year to the date this case was commenced. State also the gross amounts received during the two years immediately preceding this calendar year. (A debtor that maintains, or has maintained, financial records on the basis of a fiscal rather than a calendar year may report fiscal year income. Identify the beginning and ending dates of the debtor's fiscal year.) If a joint petition is filed, state income for each spouse separately. (Married debtors filing under chapter 12 or chapter 13 must state income of both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

**2. Income other than from employment or operation of business**

None ☐ State the amount of income received by the debtor other than from employment, trade, profession, or operation of the debtor's business during the two years immediately preceding the commencement of this case. Give particulars. If a joint petition is filed, state income for each spouse separately. (Married debtors filing under chapter 12 or chapter 13 must state income for each spouse whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

AMOUNT	SOURCE
<b>\$2,290</b>	<b>2010 Travel Reimbursement from Veteran's Administration for service related illnesses at \$95.45 per month and an estimated 24 reimbursable trips in the 12 month period</b>
<b>\$0</b>	<b>2009 - Debtor had no income in 2009</b>

**3. Payments to creditors****Complete a. or b., as appropriate, and c.**

None ☒ a. Individual or joint debtor(s) with primarily consumer debts: List all payments on loans, installment purchases of goods or services, and other debts to any creditor made within 90 days immediately preceding the commencement of this case unless the aggregate value of all property that constitutes or is affected by such transfer is less than \$600. Indicate with an asterisk (\*) any payments that were made to a creditor on account of a domestic support obligation or as part of an alternative repayment schedule under a plan by an approved nonprofit budgeting and credit counseling agency. (Married debtors filing under chapter 12 or chapter 13 must include payments by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

None ☒ b. Debtor whose debts are not primarily consumer debts: List each payment or other transfer to any creditor made within 90 days immediately preceding the commencement of the case unless the aggregate value of all property that constitutes or is affected by such transfer is less than \$5,850\*. If the debtor is an individual, indicate with an asterisk (\*) any payments that were made to a creditor on account of a domestic support obligation or as part of an alternative repayment schedule under a plan by an approved nonprofit budgeting and credit counseling agency. (Married debtors filing under chapter 12 or chapter 13 must include payments and other transfers by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

\* Amount subject to adjustment on 4/01/13, and every three years thereafter with respect to cases commenced on or after the date of adjustment.

None ☒ c. All debtors: List all payments made within one year immediately preceding the commencement of this case to or for the benefit of creditors who are or were insiders. (Married debtors filing under chapter 12 or chapter 13 must include payments by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

**4. Suits and administrative proceedings, executions, garnishments and attachments**

None ☐ a. List all suits and administrative proceedings to which the debtor is or was a party within one year immediately preceding the filing of this bankruptcy case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

CAPTION OF SUIT AND CASE NUMBER	NATURE OF PROCEEDING	COURT OR AGENCY AND LOCATION	STATUS OR DISPOSITION
<b>In the Matter of the Marriage of Kathy Marcom and Jay Frank Marcom II</b>	<b>Divorce</b>	<b>Tarrant County Family Courts</b>	<b>Final</b>

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*Continuation Sheet No. 1*

<b>Gerald Bolfig v. Jay Marcom and Kathy Marcom</b>	<b>Toxic Tort</b>	<b>Stevens County District Court</b>	<b>Settled</b>
Western Oilfields Supply Company, a Delaware corporation, doing business as Rain For Rent v Jay Marcom, an individual doing business as TSW Ranch; and DOES 1 through 50. Case No. S-1500-CV-267415	<b>Collection Suit</b>	Superior Court for the State of California County of Kern - Metropolitan Division 1415 Truxtun Avenue Bakersfield, CA 93301	Default Judgment. Debtor states that he was never served and that the default judgment is not valid. Debtor further claims that he is not liable for the claim.
Eastland Operating, L.L.C., et al, Plaintiffs vs. Jay Marcom and Kathy Marcom, Defendants; Jay Marcom and wife Kathy Marcom, Counter-Plaintiffs vs. Eastland Operating, L.L.C. et al., Counter-Defendants; and Jay Marcom and wife Kathy Marcom, Third-Party Plaintiffs vs. Michael Butler, et al., Third-Party Defendants Cause No 29,410	The original suit was for damages and injunctive relief related to access to property alleged to have been owned by Debtor and Kathy Marcom. The counter suit was for damages associated with improperly calculated oil and gas royalties among other matters.	In the District Court of Stephens County, 90th Judicial District	Pending
Jonathan Travis Roberts & Jason Cass Castillo, Plaintiffs/Counter-Defendants v. Jay Marcom & Marcom Ranch, Defendants/Counter-Plaintiffs; Jay Marcom and wife Kathy Marcom, Third Party Plaintiffs v. Enbridge Gathering North Texas, L.P. and BAM Operating, Inc., Third Party Defendants Cause No. 29,810		In the District Court of Stephens County, TX, 90th Judicial District, Breckenridge, TX	Pending except for BAM Operating, Inc. v. Jay Marcom and wife Kathy Marcom which was severed on 2/17/10 to finalize judgment in the severed portion of the case (Cause No. 29,810-A)
Western Oilfields Supply Company vs. Jay Marcom; Cause No. DC-10-04427	<b>Collection on foreign judgment</b>	192nd District Court, Dallas County, Texas	Pending
Western Oilfields Supply Co vs. Jay Marcom; Cause No. 30149	<b>Collection on foreign judgment</b>	90th District Court, Stephens County, Texas	Pending

None ☐ b. Describe all property that has been attached, garnished or seized under any legal or equitable process within one year immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning property of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

**NAME AND ADDRESS OF PERSON FOR WHOSE  
BENEFIT PROPERTY WAS SEIZED**  
BAM Operating, Inc. and Gerald L. Bolfig, its  
attorney,

**DATE OF SEIZURE**  
December 15,  
2009 by order

**DESCRIPTION AND VALUE  
OF PROPERTY**  
"all oil and gas revenues derived  
from any oil or gas lease on property

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*Continuation Sheet No. 2*

**PO Box 8858  
Waco, TX 76714**

**dated February  
17, 2010 in  
Cause No.  
29,810-A, Jay  
Marcom & wife,  
Kathy Marcom  
v. BAM  
Operating, Inc.,  
In the 90th  
District Court,  
Stephens  
County, TX**

**owned by Kathy M. Marcom and Jay  
Marcom, and their successors or  
assignees, including but not limited to  
the property conveyed by Kathy M.  
Marcom and Jay Marcom to  
MORMAR FAMILY HOLDINGS, L.L.C. by  
general warranty deed purportedly  
signed October 15, 2009 which was  
filed of record on November 2, 2009,  
... with all documents and records  
related to the property, until all sums  
under this judgment (\$17,520) are  
paid in full, including attorney fees."**

**Dept Of Veterans Affairs  
Po Box 11930  
Saint Paul, MN 55111**

**2010 (monthly)****\$1,400 monthly benefit****5. Repossessions, foreclosures and returns**

None ☒ List all property that has been repossessed by a creditor, sold at a foreclosure sale, transferred through a deed in lieu of foreclosure or returned to the seller, within one year immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning property of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

**6. Assignments and receiverships**

None ☒ a. Describe any assignment of property for the benefit of creditors made within 120 days immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include any assignment by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

None ☒ b. List all property which has been in the hands of a custodian, receiver, or court-appointed official within one year immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning property of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

**7. Gifts**

None ☒ List all gifts or charitable contributions made within one year immediately preceding the commencement of this case except ordinary and usual gifts to family members aggregating less than \$200 in value per individual family member and charitable contributions aggregating less than \$100 per recipient. (Married debtors filing under chapter 12 or chapter 13 must include gifts or contributions by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

**8. Losses**

None ☒ List all losses from fire, theft, other casualty or gambling within one year immediately preceding the commencement of this case or since the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include losses by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

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*Continuation Sheet No. 3*

**9. Payments related to debt counseling or bankruptcy**

None ☐ List all payments made or property transferred by or on behalf of the debtor to any persons, including attorneys, for consultation concerning debt consolidation, relief under the bankruptcy law or preparation of a petition in bankruptcy within one year immediately preceding the commencement of this case.

NAME AND ADDRESS OF PAYEE	DATE OF PAYMENT, NAME OF PAYER IF OTHER THAN DEBTOR	AMOUNT OF MONEY OR DESCRIPTION AND VALUE OF PROPERTY
<b>Machi &amp; Associates, PC 1521 N. Cooper, Ste. 550 Arlington, TX 76011</b>	<b>11/23/2010, paid by Kathy Marcom</b>	<b>\$2,675.00</b>
<b>Cricket Debt Counseling 10121 SE Sunnyside Rd., Ste. 300 Clackamas, OR 97015</b>	<b>11/23/10</b>	<b>\$36.00</b>

**10. Other transfers**

None ☐ a. List all other property, other than property transferred in the ordinary course of the business or financial affairs of the debtor, transferred either absolutely or as security within two years immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include transfers by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF TRANSFEREE, RELATIONSHIP TO DEBTOR	DATE	DESCRIBE PROPERTY TRANSFERRED AND VALUE RECEIVED
<b>Kathy Marcom, ex spouse 8960 County Rd 138 Ranger, TX</b>	<b>11/9/2010</b>	<b>Property Granted to Kathy Marcom per divorce decree summarized as follows:</b> <ol style="list-style-type: none"> <li><b>1. Real Property. Two parcels of property referenced in the divorce decree as attached as Exhibits A &amp; B. (Exhibits A &amp; B are attached.)</b></li> <li><b>2. Household furnishings in her control.</b></li> <li><b>3. Clothing, jewelry and other personal effects in her control.</b></li> <li><b>4. All funds in following bank accounts:</b> <ol style="list-style-type: none"> <li><b>a. First National Bank Albany/ Breckenridge Acct: xxxxx3202 DBA Texas Smokin' Woods</b></li> <li><b>b. First National Bank Albany/Breckenridge Acct: xxxxx2842 Ranch Account</b></li> <li><b>c. First Financial Bank Weatherford Texas Acct: xxxxx5434 Mormar Family Holdings, LLC dba Marcom Properties</b></li> </ol> </li> <li><b>5. All life insurance policies on Ms Marcom</b></li> <li><b>6. 2001 Chevrolet Suburban</b></li> </ol>

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*Continuation Sheet No. 4*

7. 1989 White motor vehicle  
8. 2006 Ford Truck F-150 4WD  
9. All interests in Marmor Family Holdings, LLC

**Marmor Family Holdings, L.L.C.****October 15,  
2009****See Exhibit A**

b. List all property transferred by the debtor within ten years immediately preceding the commencement of this case to a self-settled trust or similar device of which the debtor is a beneficiary.

None  
☒

**11. Closed financial accounts**

None  
☐ List all financial accounts and instruments held in the name of the debtor or for the benefit of the debtor which were closed, sold, or otherwise transferred within one year immediately preceding the commencement of this case. Include checking, savings, or other financial accounts, certificates of deposit, or other instruments; shares and share accounts held in banks, credit unions, pension funds, cooperatives, associations, brokerage houses and other financial institutions. (Married debtors filing under chapter 12 or chapter 13 must include information concerning accounts or instruments held by or for either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF INSTITUTION	TYPE OF ACCOUNT, LAST FOUR DIGITS OF ACCOUNT NUMBER, AND AMOUNT OF FINAL BALANCE	AMOUNT AND DATE OF SALE OR CLOSING
First National Bank Albany/Breckenridge 100 S Main PO Box 2019 Albany, TX 76430	Account Number ending in ...3202 DBA Texas Smokin' Woods	Debtor's ex-spouse was awarded this account in the divorce and Debtor doesn't know what the balance was and if/or when his name was removed from this account
First National Bank Albany/Breckenridge 100 S Main PO Box 2019 Albany, TX 76430	Account number ending in ...2842 Ranch Account	Debtor's ex-spouse was awarded this account in the divorce and Debtor doesn't know what the balance was and if/or when his name was removed from this account
First Financial Bank Weatherford Texas PO Box 259 Weatherford, TX	Account Number ending in ...5434 Mormar Family Holdings, LLC dba Marcom Properties	Debtor's ex-spouse was awarded this account in the divorce and Debtor doesn't know what the balance was and if/or when his name was removed from this account

**12. Safe deposit boxes**

None  
☒ List each safe deposit or other box or depository in which the debtor has or had securities, cash, or other valuables within one year immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include boxes or depositories of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

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*Continuation Sheet No. 5*

**13. Setoffs**

None ☒ List all setoffs made by any creditor, including a bank, against a debt or deposit of the debtor within 90 days preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

**14. Property held for another person**

None ☒ List all property owned by another person that the debtor holds or controls.

**15. Prior address of debtor**

None ☐ If the debtor has moved within three years immediately preceding the commencement of this case, list all premises which the debtor occupied during that period and vacated prior to the commencement of this case. If a joint petition is filed, report also any separate address of either spouse.

**ADDRESS**

**7215 Mansfield Cardinal Rd,  
Kennedale TX**

**NAME USED**

**Jay Marcom**

**DATES OF OCCUPANCY**

**from  
approximately  
2007 until  
Debtor  
separated from  
his ex-wife in  
mid-2009**

**16. Spouses and Former Spouses**

None ☐ If the debtor resides or resided in a community property state, commonwealth, or territory (including Alaska, Arizona, California, Idaho, Louisiana, Nevada, New Mexico, Puerto Rico, Texas, Washington, or Wisconsin) within eight years immediately preceding the commencement of the case, identify the name of the debtor's spouse and of any former spouse who resides or resided with the debtor in the community property state.

**NAME**

**Kathy Marcom  
8960 County Rd 138  
Ranger, TX**

**17. Environmental Information**

For the purpose of this question, the following definitions apply:

"Environmental Law" means any federal, state, or local statute or regulation regulating pollution, contamination, releases of hazardous or toxic substances, wastes or material into the air, land, soil, surface water, groundwater, or other medium, including, but not limited to, statutes or regulations regulating the cleanup of these substances, wastes, or material.

"Site" means any location, facility, or property as defined under any Environmental Law, whether or not presently or formerly owned or operated by the debtor, including, but not limited to, disposal sites.

"Hazardous Material" means anything defined as a hazardous waste, hazardous substance, toxic substance, hazardous material, pollutant, or contaminant or similar term under an Environmental Law.

None ☒ a. List the name and address of every site for which the debtor has received notice in writing by a governmental unit that it may be liable or potentially liable under or in violation of an Environmental Law. Indicate the governmental unit, the date of the notice, and, if known, the Environmental Law:

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*Continuation Sheet No. 6*

None b. List the name and address of every site for which the debtor provided notice to a governmental unit of a release of Hazardous Material.  
☒ Indicate the governmental unit to which the notice was sent and the date of the notice.

None c. List all judicial or administrative proceedings, including settlements or orders, under any Environmental Law with respect to which the debtor is  
☒ or was a party. Indicate the name and address of the governmental unit that is or was a party to the proceeding, and the docket number.

**18. Nature, location and name of business**

None ☐ a. If the debtor is an individual, list the names, addresses, taxpayer-identification numbers, nature of the businesses, and beginning and ending dates of all businesses in which the debtor was an officer, director, partner, or managing executive of a corporation, partner in a partnership, sole proprietor, or was self-employed in a trade, profession, or other activity either full- or part-time within six years immediately preceding the commencement of this case, or in which the debtor owned 5 percent or more of the voting or equity securities within six years immediately preceding the commencement of this case.

If the debtor is a partnership, list the names, addresses, taxpayer-identification numbers, nature of the businesses, and beginning and ending dates of all businesses in which the debtor was a partner or owned 5 percent or more of the voting or equity securities, within six years immediately preceding the commencement of this case.

If the debtor is a corporation, list the names, addresses, taxpayer-identification numbers, nature of the businesses, and beginning and ending dates of all businesses in which the debtor was a partner or owned 5 percent or more of the voting or equity securities within six years immediately preceding the commencement of this case.

**NAME, ADDRESS, AND LAST FOUR DIGITS OF  
SOCIAL-SECURITY OR OTHER INDIVIDUAL  
TAXPAYER-I.D. NO. (ITIN) / COMPLETE EIN**

**NATURE OF BUSINESS****BEGINNING AND ENDING  
DATES**

**Mormar Family Holdings, L.L.C.  
Marcom Properties  
Texas Smokin' Woods  
TSW Ranch  
Marcom Ranch**

**Debtor has included these  
companies out of an abundance of  
caution. Debtor is not and was not  
an officer, director, partner,  
managing director and has not  
owned 5% or more of any of the  
corporations or business entities  
in the last 6 years.**

**THINSTREAM, Inc.  
12801 N. Central Expy, Ste 850  
Dallas, TX 75243-1864**

**Business was established to  
provide products and/or services  
in the internet industry. The  
company never operated and its  
charter was forfeited in 2005 or  
2006.**

**1/21/2005 - 2005 or  
2006**

None ☒ b. Identify any business listed in response to subdivision a., above, that is "single asset real estate" as defined in 11 U.S.C. § 101.

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*Continuation Sheet No. 7*

The following questions are to be completed by every debtor that is a corporation or partnership and by any individual debtor who is or has been, within six years immediately preceding the commencement of this case, any of the following: an officer, director, managing executive, or owner of more than 5 percent of the voting or equity securities of a corporation; a partner, other than a limited partner, of a partnership, a sole proprietor, or self-employed in a trade, profession, or other activity, either full- or part-time.

(An individual or joint debtor should complete this portion of the statement only if the debtor is or has been in business, as defined above, within six years immediately preceding the commencement of this case. A debtor who has not been in business within those six years should go directly to the signature page.)

**19. Books, records and financial statements**

None



a. List all bookkeepers and accountants who within two years immediately preceding the filing of this bankruptcy case kept or supervised the keeping of books of account and records of the debtor.

None



b. List all firms or individuals who within two years immediately preceding the filing of this bankruptcy case have audited the books of account and records, or prepared a financial statement of the debtor.

None



c. List all firms or individuals who at the time of the commencement of this case were in possession of the books of account and records of the debtor. If any of the books of account and records are not available, explain.

None



d. List all financial institutions, creditors and other parties, including mercantile and trade agencies, to whom a financial statement was issued by the debtor within two years immediately preceding the commencement of this case.

**20. Inventories**

None



a. List the dates of the last two inventories taken of your property, the name of the person who supervised the taking of each inventory, and the dollar amount and basis of each inventory.

None



b. List the name and address of the person having possession of the records of each of the inventories reported in a., above.

**21. Current Partners, Officers, Directors and Shareholders**

None



a. If the debtor is a partnership, list the nature and percentage of partnership interest of each member of the partnership.

None



b. If the debtor is a corporation, list all officers and directors of the corporation, and each stockholder who directly or indirectly owns, controls, or holds 5 percent or more of the voting or equity securities of the corporation.

**22. Former partners, officers, directors and shareholders**

None



a. If the debtor is a partnership, list each member who withdrew from the partnership within one year immediately preceding the commencement of this case.

None



b. If the debtor is a corporation, list all officers, or directors whose relationship with the corporation terminated within one year immediately preceding the commencement of this case.



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*Continuation Sheet No. 8*

**23. Withdrawals from a partnership or distributions by a corporation**

None ☒ If the debtor is a partnership or corporation, list all withdrawals or distributions credited or given to an insider, including compensation in any form, bonuses, loans, stock redemptions, options exercised and any other perquisite during one year immediately preceding the commencement of this case.

**24. Tax Consolidation Group**

None ☒ If the debtor is a corporation, list the name and federal taxpayer-identification number of the parent corporation of any consolidated group for tax purposes of which the debtor has been a member at any time within six years immediately preceding the commencement of the case.

**25. Pension Funds**

None ☒ If the debtor is not an individual, list the name and federal taxpayer-identification number of any pension fund to which the debtor, as an employer, has been responsible for contributing at any time within six years immediately preceding the commencement of the case.

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*[If completed by an individual or individual and spouse]*

I declare under penalty of perjury that I have read the answers contained in the foregoing statement of financial affairs and any attachments thereto and that they are true and correct.

Date **7/12/2011**Signature **/s/ Jay Frank Marcom, II**  
of Debtor **Jay Frank Marcom, II**

Date \_\_\_\_\_

Signature \_\_\_\_\_  
of Joint Debtor  
(if any)

*Penalty for making a false statement: Fine of up to \$500,000 or imprisonment for up to 5 years, or both.  
18 U.S.C. §§ 152 and 3571*